

AMENDED IN SENATE MAY 29, 2012  
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**SENATE BILL**

**No. 1190**

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**Introduced by Senator Hancock  
(Coauthor: Senator Pavley)**

February 22, 2012

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An act to ~~amend Sections 123302 and 123320~~ *add and repeal Section 123303* of the Health and Safety Code, relating to maternal and child health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1190, as amended, Hancock. Women, infants, and children's nutrition.

Existing law, the California Special Supplemental Food Program for Women, Infants, and Children (WIC), under the administration of the State Department of Public Health, provides for the issuance of nutrition coupons, as defined, to certain low-income women, infants, and children who have been determined to be at nutritional risk. ~~Under existing law, the department is required to include specified information on the nutrition coupons and, to the extent feasible, provide the information in a form that may be read by optical scanning technology readily available to vendors. Existing law requires the department to report to the Legislature by March 15, 2002, on the feasibility and costs of providing the information in that form.~~

~~This bill would extend that deadline to July 1, 2013 and additionally would require the department to report to the Legislature regarding which electronic card option the state will use in implementing these provisions, as specified.~~

Existing law authorizes the department to design, implement, and fund an electronic benefits transfer (EBT) system for WIC. Existing law requires the department to develop a plan to determine the feasibility of implementing an EBT system for WIC by January 1, 2003, and to report its findings to the Legislature by July 1, 2003.

*This bill would require the department to provide to the appropriate fiscal and policy committees of the Legislature, the Legislative Analyst's Office, and the office of the State Chief Information Officer quarterly briefings, within 30 days of the close of each quarter, with the first quarter commencing on January 1, 2013, on the development of the EBT system until the system is fully operational. This bill would repeal those provisions on January 1, 2023.*

~~This bill would delete the requirements that the department develop the feasibility plan and report its findings. This bill would require the department to design, implement, and maintain an EBT system for WIC by January 1, 2015, subject to funding being provided in the annual budget act.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) An electronic benefits transfer (EBT) system for the
- 4 California Special Supplemental Nutrition Program for Women,
- 5 Infants, and Children (WIC) has not yet been implemented in
- 6 California.
- 7 (b) Existing law directed the State Department of Public Health
- 8 to develop a plan to determine the feasibility of implementing an
- 9 EBT system for WIC by January 1, 2003.
- 10 (c) The current paper check system is cumbersome, outdated,
- 11 stigmatizing for participants at the checkstand, and costly to
- 12 operate.
- 13 (d) Several other states, including Texas, Michigan, Nevada,
- 14 and New Mexico, have fully implemented an EBT system for
- 15 WIC, while Pennsylvania, Oklahoma, and Arkansas are in the pilot
- 16 phase of implementing an EBT system for WIC.
- 17 (e) Accordingly, it is the intent of the Legislature to implement
- 18 an EBT system for WIC ~~by January 1, 2015~~ *as soon as feasible*.

1 SEC. 2. Section 123303 is added to the Health and Safety Code,  
2 to read:

3 123303. (a) The department shall provide to the appropriate  
4 fiscal and policy committees of the Legislature, the Legislative  
5 Analyst's Office, and the office of the State Chief Information  
6 Officer quarterly briefings on the development of the electronic  
7 benefits transfer (EBT) system for the California Special  
8 Supplemental Food Program for Women, Infants, and Children,  
9 pursuant to Section 123302. These quarterly briefings shall be  
10 provided within 30 days of the close of each quarter, with the first  
11 quarter commencing January 1, 2013, and shall continue until the  
12 EBT system is fully operational.

13 (b) This section shall remain in effect only until January 1, 2023,  
14 and as of that date, is repealed.

15 ~~SEC. 2. Section 123302 of the Health and Safety Code is~~  
16 ~~amended to read:~~

17 ~~123302. (a) (1) Notwithstanding any other provision of law,~~  
18 ~~the department shall design, implement, and maintain an electronic~~  
19 ~~benefits transfer (EBT) system for the California Special~~  
20 ~~Supplemental Food Program for Women, Infants, and Children~~  
21 ~~by January 1, 2015. Sections 10066, 10067, and 10068 of, and~~  
22 ~~subdivision (j) of Section 10072 of, the Welfare and Institutions~~  
23 ~~Code, shall apply to the administration of this section.~~

24 ~~(2) The department may not implement the EBT system required~~  
25 ~~by this section until funding for the system is provided in the annual~~  
26 ~~Budget Act.~~

27 ~~(b) The department shall seek the advice of the Electronic~~  
28 ~~Benefits Transfer Committee, created by Section 10067 of the~~  
29 ~~Welfare and Institutions Code, in implementing this section, and~~  
30 ~~shall obtain the approval of the United States Department of~~  
31 ~~Agriculture, which is the federal governing agency, prior to the~~  
32 ~~establishment of any EBT system.~~

33 ~~SEC. 3. Section 123320 of the Health and Safety Code is~~  
34 ~~amended to read:~~

35 ~~123320. (a) The department shall inform the retail food~~  
36 ~~vendors of, and include in the written agreement with the vendors,~~  
37 ~~guidelines consistent with Section 123315, and shall print on each~~  
38 ~~coupon the following:~~

39 ~~(1) Specific supplemental foods and the quantities thereof for~~  
40 ~~which the coupon may be redeemed.~~

1     ~~(2) The period of validity of the nutrition coupon.~~  
2     ~~(3) The maximum value for which the nutrition coupon may be~~  
3     ~~redeemed.~~  
4     ~~(b) To the extent feasible, the information required pursuant to~~  
5     ~~subdivision (a) shall be provided in a form that may be read by~~  
6     ~~optical scanning technology readily available to vendors. The~~  
7     ~~department shall, no later than July 1, 2013, report to the~~  
8     ~~Legislature regarding the feasibility and costs of providing the~~  
9     ~~information in this form, and regarding which electronic card~~  
10    ~~option the state will use pursuant to Section 123302. This~~  
11    ~~subdivision shall be implemented only to the extent that funds for~~  
12    ~~its purposes are appropriated in the annual Budget Act or another~~  
13    ~~statute.~~